Deterrents or Labeling?
Author(s): Charles R. Tittle
Source: *Social Forces*, Vol. 53, No. 3 (Mar., 1975), pp. 399-410
Published by: University of North Carolina Press
Stable URL: http://www.jstor.org/stable/2576582
Accessed: 07/10/2009 14:53

Deterrents or Labeling?

CHARLES R. TITTLE, *Florida Atlantic University*

ABSTRACT

Contradictory predictions about the effects of sanctioning drawn from control and labeling perspectives are evaluated in light of extant empirical evidence. Although the data favor a deterrent rather than a secondary deviance interpretation, consideration of the issue reveals gross theoretical inadequacy. The fundamental task is to specify the conditions under which one or the other outcome is likely and then to build an integrated theory that incorporates those contingencies. Drawing on current literature, contingencies that are likely to affect the outcome of sanctioning are identified.

Contemporary students of deviance have shifted attention from the deviant act to the social reactions generated by deviance (Gibbs, 1966). This change in focus has stimulated a number of new theoretical interests, the most important of which concerns the consequences of reaction to rule breaking. It is now recognized that a fundamental problem for social science is to determine what effects are produced when social groups or individuals try to do something about violations of social rules.

The problem has been approached in many different ways. Some have tried to specify the consequences for the people directly involved in doing something about deviance (Blumberg, 1967; Ross, 1973; Skolnick, 1966), while others have tried to establish the consequences for the individuals or groups that are the object of such efforts (Buckner, 1971; Lemert, 1967; Schwartz and Skolnick, 1962). Some social scientists have asked how social actions to deal with rule violations affect the amount and kind of deviance that occurs within a given population unit (Andenaes, 1966; Tittle and Logan, 1973; Zimring and Hawkins, 1973). And still others have investigated the way various reactions to deviance contribute to or undermine the ability of social groups to survive and maintain themselves (Connor, 1972; Erikson, 1966; Turk, 1969).

But despite the diverse approaches, two dominant intellectual trends have emerged. One trend has followed the labeling perspective. The basic premise of work in this vein is that deviance is itself a product of reactions by a social audience or by social control agents. To labeling advocates, rules or rule breaking are only of incidental interest since deviance is "that behavior which has been so labeled." Thus, labeling may occur in the absence of rule breaking or it may be problematic even when rule breaking has occurred. The important tasks for students of labeling are, therefore: (1) to determine how and why labeling occurs, (2) to establish the consequences of labeling, and (3) to understand the behavior of those directly involved in labeling.

A second intellectual trend can be identified as the "control" perspective. Students of control take rules as given and then attempt to account for conformity or deviance from those rules. In the search for explanation, they focus particularly on what is done about rule breaking, especially on actions that involve negative sanctions. Thus in their inquiries, control researchers have sought: (1) to determine what effect sanctions have on conformity, (2) to ascertain how and why sanctions are imposed in particular social groups, and (3) to understand the organization of sanctioning systems.

COMPARISON OF THE APPROACHES

Although distinguishable as separate approaches, these two intellectual trends clearly have much in common. They are both concerned with how and why social groups respond to particular behaviors, and they are both interested in the effects of those responses. Moreover, proponents of each are committed to understanding the behavior and organization of those who try to do something about nonconformity and to explication of the significance of such efforts for human society.

There are, however, some clear divergences. The first concerns definitions of the object of study. Labeling proponents focus on those behaviors which result in a label of deviance. Since the same behaviors may be labeled deviant at one time but not another or for one

person but not another, the object of study cannot be specific classes of behavior. Rather, the starting point must be those peculiar acts which are labeled. Control students, by contrast, begin with the assumption that in a given social group there are rules which define what is acceptable or not acceptable, and that the extent of variance from those rules can be ascertained. To the control student, the behaviors to which social response is of interest are simply those that are normatively unacceptable, regardless of whether they result in a label for any given offender. Proponents of a control approach begin their analysis with general classes of behavior which they believe can be normatively identified as deviant.

This does not mean that labeling theorists totally ignore normative definitions or that control theorists are insensitive to labeling. It is obvious that studying labeling requires one to confront normative specifications. Labeling theorists have, in fact, expended considerable energy in demonstrating that normative deviance does not inevitably lead to labeling just as labeling does not necessarily rest on normative deviance. It is equally clear that control students both recognize that labeling shapes normative rules and that identifying clearcut normative deviance is difficult. Nevertheless, the points of initial inquiry by the two schools are distinctly different.

But the major difference between the two is in their theoretical predictions about the effects of sanctioning. Labeling theorists maintain that punishment causes the offender to be labeled a deviant by others (Payne, 1973; Trice and Roman, 1970). Labeling presumably closes off nondeviant options and activates a transformation of self-image. This process is thought to lead to further deviance because the labelee is faced with dwindling nondeviant alternatives, because deviance begins to converge with his changing concept of self, and because he increasingly seeks acceptance and social support among those who have already adopted deviant careers.

Control theorists, on the other hand, operate from a traditional deterrent perspective which postulates that people avoid pain and seek pleasure. Accordingly, the application of sanctions is thought to reduce future rule breaking on the part of the offender. Having experienced punishment, he will be more sensitive to the possibility of its reapplication, and in avoiding further punishment and in searching for positive reinforcement, he will presumably form habits of conformity.

IMPORTANCE OF THE CONTROVERSY

This difference in theoretical prediction is especially interesting because it accentuates a divergence which has permeated social science theory for a long time. Theories of conformity have emphasized disproportionately either individual motivation or external constraint. As to the effect of sanctions on future conduct, theories that stress external constraints are generally consistent with the control orientation, while the motivation theories tend to support the labeling position.

Most conventional sociological theories see deviant motivations as the key to explanation of nonconformity (Cohen, 1966). They either ignore sanctions altogether or they suggest that sanctions or sanction threats are of very minor import in the production of conformity or deviance. Social action theory (Parsons, 1937; 1951) identifies internalized values as the major mechanism that produces conformity. If socialization is complete, then people will obey the rules regardless of the possibility of sanction. Cultural theories (Sellin, 1938; Sutherland and Cressey, 1966) emphasize the power of normative expectations, implying that sanctions will not only be ineffectual but that they may actually reinforce deviant tendencies in situations where subcultural norms reward courageous defiance (Miller, 1958; Werthman, 1969). Finally, anomie theory postulates that conformity and deviance are manifestations of the conjuncture or disjuncture of culturally emphasized goals and means (Merton, 1968). Presumably when such conjuncture or disjuncture is present, appropriate adaptation will take place, independent of other considerations such as the possibility of sanction.

Although none of these theories explicitly postulates that sanctions will increase deviance, they are all consistent with the labeling argument because they deny that sanctions are significant influences on the production of conformity and because they accommodate the idea that sanctions may increase deviance. Theoretical formulations which attribute major significance to external constraints and which are sympathetic to the deterrence notion include utilitarianism, modern behavioral psychology, conflict theory, and the theory of relational bonds.

The utilitarians (Bentham, 1948; Stephen,

1900) maintained that human existence is motivated by a struggle to maximize pleasure and avoid pain. The major implication of utilitarianism, as spelled out by the classical criminologists, is that people can be made to conform to rules if the probability of sanction for nonconformity is severe enough to outweigh the advantages of the deviant act and is certain and swift enough to be meaningful. Modern behavioral psychology has followed this general motif and specified in elaborate detail the conditions under which applications of pleasure or pain will modify patterns of animal behavior. Results of empirical work in this field have shown that punishment, whether directly or vicariously experienced, can be highly effective in channeling or extinguishing behavior (Azrin and Holz, 1966; Bandura, 1969; Johnson, 1972). Moreover, sociological theorists have extended conditioning principles into broader social contexts, arguing the efficacy of negative as well as positive sanctions (Homans, 1961; Scott, 1971).

Conflict theory takes a different tack in explaining deviance, but it acknowledges the power of some groups or individuals to coerce others; therefore, it assumes that the use of sanctions can be effective in forcing humans to conform to some desired norms, at least under some conditions (Turk, 1969). And relational bond theory (Hirschi, 1969) implies that the potential negative response of significant others is a potent influence on conforming behavior.

Given this theoretical cleavage, it is clear that the resolution of the question whether sanctions deter deviance, create more deviance, or are irrelevant to further deviance is fundamental. Integration of a variety of disparate theories would seem to hinge on this rudimentary point. Yet comparatively little empirical research has been addressed to the question, and much of that which is cited in regard to the issue is of dubious value. (See Tittle and Logan, 1973; Zimring and Hawkins, 1973.)

THE EVIDENCE

Problems of Interpretation

In attempting to resolve the conflict between these two orientations one must recognize certain technical difficulties. First, the concept of labeling is inherently vague (Schur, 1971). According to Schur, labeling involves attempts to "deal with" or "do something about" behavior which departs from normative expectations. There are said to be degrees of deviantness which are presumably created by various degrees of "dealing with" or "doing something about" the behavior. But labeling theorists also speak of "successful" application of labels and of nonconforming behavior which is "perceived" as deviance (Becker, 1963). This implies that the concept of labeling involves more than "doing something about" nonconforming behavior; rather it suggests that the essence of a label is in the acceptance by an audience of a deviant identity on the part of a nonconformist who has been "dealt with." Furthermore, it is conceivable that an audience may come to accept a deviant definition even without distinct efforts having been made to "deal with" or "do something about" the deviance. Thus Schur (1971:22) tells us that labeling may involve "all diverse societal definitions of and response to behavior."

The difficulty in using such vagaries in empirical research is clear. In attempting to measure degrees of labeling, are we to focus on the efforts to "deal with" nonconformity, on the degree to which those efforts have resulted in a collective definition of deviant character, or simply on collective definitions of character regardless of whether they have involved any distinguishable efforts to do something about nonconformity? If one tries to measure degrees of labeling he must assume that some reactions indicate greater degrees of "doing something about" than others. But it is impossible to devise a defensible continuum which includes any possible societal response to behavior. If one moves directly to measurement of collective definitions, he is forced to assess public opinion with respect to each individual case studied. This is a practical impossibility since there are no meaningful guidelines in labeling theory about the limits which define an audience. What constitutes a public for a given deviant act or potential deviant person is presently unknown.

In view of these problems, it is hardly surprising that most researchers have simply assumed that the imposition of any sanction or any official act of negative classification constitutes labeling. Imprisonment (Lemert, 1967), hospitalization for mental illness (Rushing, 1971), being placed on probation (Fisher, 1972), being convicted or fined for drunken driving (Lovald and Stub, 1968; Marshall and Purdy, 1972), being convicted of a felony

(Chiricos *et al.*, 1972), and being dishonorably discharged from the military (Williams and Weinberg, 1970) have all been accepted as indicators of labeling without any consideration being given to whether such negative classifications actually resulted in general attribution of deviant characters to those so classified or to the degree of "doing something about" which such official acts represented.

Although operational assumptions like this are apparently essential for empirical tests, they are at the same time likely to render those tests tautological. If it is found that negatively classified individuals repeat the behavior for which they were labeled, proponents will applaud the power of the labeling perspective. On the other hand, should it be discovered that those who are negatively classified actually engage in the behavior less frequently, proponents will maintain that the label obviously did not stick. In short, it is easy to assume that subsequent deviance constitutes an effect of labeling as well as being evidence that labeling has occurred. But if labeling cannot be ascertained independent of its presumed effect, then the proposition in question is incontrovertible and thereby unscientific.

Problems of Data

Second, even if it could be agreed that sanctioning or negative classification were equivalent to labeling, there are few systematic data to enable a straightforward assessment of the effect of that labeling on future conduct. The most obvious data are those concerning criminal recidivism. It is generally conceded that arrest and/or incarceration are more likely to indicate labeling than almost any other social reactions. Most people consider any contact with the law as evidence of criminal character, especially if that contact eventuates in actual incarceration; and stigmatization of offenders is well known (Schwartz and Skolnick, 1962). Therefore, if labeling produces further rule breaking, it should be discernible from the rate of criminal recidivism. Unfortunately this approach has a number of practical weaknesses.

For one thing, meaningful recidivism data are impossible to obtain. Rearrest is a poor indicator because ex-convicts are more likely to be arrested independent of actual criminal conduct. In fact, arrest may indicate little about guilt. For example, in an FBI followup study of all individuals released from custody in 1963, only *40* percent of those rearrested within a four-year period of time had been reconvicted at the end of that period (*Uniform Crime Reports,* 1967), and extrapolation suggests that despite a high rearrest rate, overall reconviction for the entire population of releases for the indefinite future would not exceed *35* percent (Tittle and Logan, 1973). Arrest does not necessarily signify criminal conduct just as criminal behavior may not result in an arrest. Hence, arrest and criminality are only tenuously connected. Furthermore, people may be arrested for many things which are different from that for which they were incarcerated. Being arrested for gambling cannot be accepted as evidence of recidivism for a burglar.

Although recommitment to prison is probably a better reflector of recidivism than is rearrest, it too is defective. Recommitment rates may indicate further criminality, but they also include parole revocation for noncriminal activity such as unmarried cohabitation, failure to report to a parole supervisor, or leaving a jurisdiction without permission. In addition, figures concerning return to prison are probably inflated because the probability of reconviction is greater for those with criminal backgrounds. Under the plea bargaining system a former inmate threatened with prosecution is very likely to plead guilty even if he has engaged in no illegal conduct (Blumberg, 1967; Newman, 1966). On the other hand, it is undoubtedly true that much recidivism never results in reimprisonment.

But even ignoring these considerations, using rates of recommitment as an indication of recidivism is frustrating because of the sparcity of systematic data. Return to prison rates must be estimated from prison records or from a relatively small number of career studies. Basing estimates on the proportion of recidivists in prisoner populations seriously exaggerates the overall degree of recidivism. Repeat offenders accumulate in prison and are disproportionately represented in any inmate population because they have longer sentences and are less likely to be paroled (Wilkins, 1969). Followup studies give a better indication of the extent of recommitment, but they are too few in number and too weak methodologically to give a firm basis for conclusions.

For these reasons, judgments about labeling drawn from recidivism figures must be tempered. But even if recidivism data were reliable, information about the rate of deviance prior to adjudication would still be needed in order to determine if labeling leads to greater

or lesser amounts of deviance. While there are really no data of this type, FBI rearrest figures do show that those who are incarcerated (and therefore probably more likely to be labeled) actually have lower rearrest rates than arrestees who were acquitted, dismissed, or only fined (*Uniform Crime Reports*, 1968).

Conclusions

Because of the absence of prelabeled behavioral indicators, rates of recidivism cannot establish the labeling argument. But such information could negate it by demonstrating little repetition of rule breaking after punishment, provided that classification by legal authorities is accepted as labeling. Although recommitment and rearrest figures are not reliable indicators of recidivism, they do call into question the power of the labeling perspective. Glaser's review of recommitment studies as well as his own data from the federal system suggest that as many as two-thirds of the releasees lead generally law abiding lives (Glaser, 1964). A recent three-year followup using parole disposition, based largely on rearrest information, classified *56* percent of the releasees as completely clean or associated only with technical parole violations or misdemeanors (Kassebaum *et al.*, 1971). And the six-year FBI arrest followup indicates that at least two-thirds of the incarcerees are never reconvicted. Although these data do suggest considerable career crime, they do not support the pessimistic predictions mandated by the labeling approach. This is especially true in view of the caveat that documented recidivism may not even be the result of labeling but may stem from conditions which predated affixing of a label.

Comparisons of recidivism rates between released incarcerees and offenders not incarcerated may seem to be more supportive, but they are not, in fact, compelling. From the labeling perspective it would follow that those not incarcerated would be less likely to be labeled than would incarcerees; therefore, the fact that released inmates have higher subsequent arrest and commitment rates than do probationers (Levin, 1971; *Uniform Crime Reports*, 1968) would appear to be compelling. However, the validity of this comparison is questionable because only the best risks (that is, only those who are less likely to have prelabeled criminogenic characteristics) are placed on probation (Wilkins, 1969). And as noted earlier, acquitted, dismissed, or fined arrestees (the nonlabeled) have higher rearrest rates than those who were incarcerated (*Uniform Crime Reports*, 1968).

Recidivism data provide a weak case for the secondary deviance idea, but evidence marshaled specifically to evaluate aspects of the labeling perspective are even weaker. For one thing, little systematic data relevant to the proposition have been compiled. The bulk of empirical work in the labeling tradition has been devoted to demonstrating variations in the application of labels or in showing that labeling creates obstacles for the individual (Alvarez, 1968; Chiricos *et al.*, 1972; Dohrenwend and Chin-Shong, 1967; Marshall and Purdy, 1972; D. Phillips, 1963; Rushing, 1971; Schwartz and Skolnick, 1962; Simmons, 1965; see also Schur, 1971). A search of the literature reveals only four studies that actually test in a meaningful way the effect of labeling on future conduct.

Fisher (1972) compared the school performance of boys who were placed on delinquency probation with a matched sample of those not on probation, both before and after the application of the label. The results showed that the two groups differed almost as much in academic performance prior to labeling of the experimental group as they did afterward. Moreover, when academic ability was controlled, all differences disappeared. Angrist *et al.* studied the post-hospital behavior patterns of mental patients. They found that, contrary to the labeling perspective, most of their sample did not adopt careers of mental illness. (See Gove, 1970.) In fact, over two-thirds remained unhospitalized after seven years. Furthermore, as with prison releasees, it is plausible to attribute the observed patterns of mentally disturbed behavior to conditions that may have existed prior to labeling. The only supportive evidence of a systematic type is that provided by Gold's before and after study of delinquency (Gold, 1970) and by educational studies showing that classifying children by learning ability affects their performance (Wilkins, 1965). But it is difficult to determine if the effects observed in the learning ability classifications are attributable to changed behavior on the part of the children or to changed perceptions and behavior on the part of the teachers. Gold's study is more compelling in that he compared the subsequent behavior of a sample of labeled delinquents with a matched group of nonlabeled delinquents. His data do show that

the labeled youngsters had more subsequent deviance, but the research suffers from the problem of regression to the mean common to matching studies and from small sample size.

Other studies have some relevance, but are either nonsystematic or have only indirect bearing. Three such investigations report findings contrary to labeling expectations. Foster *et al.* (1972) found that boys who were the object of official delinquency action did not perceive a change in responses of others and did not perceive that their futures would be affected. O'Connor (1970) discovered that detention in a juvenile center generally produced more responsive attitudes toward adult intervention, suggesting that labeling results in identity transformation only for certain categories of boys. And in a series of laboratory experiments involving manipulation of the subjects' feelings of deviance, Freedman and Doob (1968) showed that in public or interpersonal situations there was no difference in degree of conformity to group judgments by deviants and nondeviants. Furthermore, in the public situation, deviants were found to yield *more* frequently than nondeviants to compliance requests, especially when the requests were made by nondeviants.

In like manner, case materials prove to be inconclusive. Some analyses are consistent with the labeling perspective (Greenwald, 1958; Skolnick, 1966), but others dispute it by showing that many deviant careers occur without labeling, that labeling often comes after adoption of a deviant career, or that deviant careers may not follow even when labeling occurs. As Mankoff (1971) points out, most check forgers, marijuana users, homosexuals as well as many embezzlers adopt careers without labeling ever taking place. In addition, most mentally ill people (Gove, 1970), and many labeled homosexuals (Williams and Weinberg, 1970) develop their deviant patterns before rather than after labeling. Furthermore, most shoplifters do not repeat the crime after being apprehended (Cameron, 1964) nor do most offenders reappear in court for public drunkenness (Lovald and Stub, 1968).

The truth is, the labeling position rests primarily on persuasive argument. Some assertions about the effects of labeling have been made with no reference at all to any data (Payne, 1973; Trice and Roman, 1970), while much of the evidence which has been cited is of dubious relevance. For example, Lovald and Stub (1968) maintain that their study of the length of time between court appearances for drunkenness somehow supports the labeling argument, despite the fact that only *29* percent of the *5,763* offenders ever reappeared in court. And social-psychological work suggesting that self-concepts and behavior are sensitive to perceptions of definitions by others is sometimes cited (Hagen, 1973) despite the fact that labeling presumably involves some form of actual collective classification.

In short, the available evidence, although certainly not compelling, does appear to be more consistent with a deterrent argument than with the postulate of secondary deviance. Recidivism data, to the extent that they are meaningful, demonstrate that most offenders do not repeat the offense, much less adopt a career of deviance. Moreover, the specific labeling studies, to the extent that they can be reconceptualized in terms of deterrence, suggest that deterrence is as likely to result from labeling as is a deviant career.

IMPLICATIONS

Inadequacy of Data

Although the available evidence tends to favor the deterrent over the secondary deviance argument, nobody can draw any consolation from this conclusion. For one thing, the data supporting the superiority of the deterrent hypothesis are hardly overwhelming. Furthermore, the quality and quantity of evidence can give social scientists no grounds for confidence. Realistically speaking, the number of studies bearing directly on the deterrence/secondary deviance idea are equivalent to a glass of water in an inferno. In addition, the investigations are not only few in number, but they suffer from crippling methodological defects. No social scientist can walk tall when the fundamental postulate which fuels entire legal systems, which divides theoretical camps, and which is at the heart of a perspective that has captured the imagination of a generation of sociologists languishes for want of data.

Theoretical Inadequacy

But an even more important reason for distress is the crudity of social theory which leads to polemical considerations of the effect of sanctions. It is no doubt true that labeling sometimes creates deviant careers, just as it is true that labeling (or sanctioning) sometimes deters people from further rule breaking. But our theories do not even begin to specify the

conditions under which sanctions will have one effect rather than another, or when they will have no effect at all. The labeling perspective, for example, is so limited that it completely overlooks the possibility that the threat of labeling may head off deviant careers by inhibiting deviance among those who might otherwise engage in a particular deviant act, or that labeling of some rule breakers may deter those who have just begun a pattern of rule breaking or who have not yet broken the rules. Yet there is a good deal of evidence suggesting that social scientists ought to take the possibility of general deterrence seriously.

In this regard, case material bearing on the certainty of apprehension and punishment is suggestive. Although case material concerning severity of punishment is contrary to the deterrent argument (Shover *et al.*, 1973; Tittle and Logan, 1973), it is known that (1) in some cases crime has increased when police were immobilized, (2) illegal behavior has diminished when police surveillance was expanded, and (3) dramatic declines in various kinds of deviance can be registered when technical innovations in police techniques are employed (Andenaes, 1952, 1966; Clark, 1969; Conklin, 1972; Cramton, 1969; Ross *et al.*, 1970; Toby, 1964; Zimring, 1971).

In addition, controlled experiments have shown that many kinds of behavior can be influenced by fear of punishment or anticipation of reward produced by observing others being punished or rewarded (Bandura, 1969; Bandura and Walters, 1963). For example, it has been demonstrated that children can be persuaded to exercise self-controls by allowing them to observe other children being punished for aggressiveness or for playing with prohibited toys. In general, experimental evidence has established that people are more likely to engage in prohibited behavior if they observe others engaging in the behavior without being sanctioned, and they are less likely to misbehave when observed models are punished, especially when the consequences are apparent and obvious. In fact, it has been shown that all direct learning, including aversive conditioning, can also occur through vicarious processes (Bandura, 1969). Assuming that these effects are generalizable to nonlaboratory contexts, they indicate that labeling may reduce deviance in a social group because those not labeled can vicariously identify with those who have been.

Finally, recent sociological and social-psychological investigations suggest the efficacy of general deterrence. They include: (1) a study of the effect of increasing the penalty and the certainty of apprehension for parking violations on a university campus (Chambliss, 1966), (2) one investigation of the effect on tax compliance of reminding citizens of the possibility of punishment (Schwartz, 1969; Schwartz and Orleans, 1967), (3) two studies examining the relationship between beliefs about the probability of apprehension/punishment and rule breaking (Jensen, 1969; Waldo and Chiricos, 1972), (4) one concerning the relationship between severity of sanctioning policies of college administrations and incidence of rule breaking by students (Bowers and Salem, 1972; Salem and Bowers, 1970) (5) three analyses of the relationship between probability of arrest and the crime rate (Logan, 1971; Rowe and Tittle, 1973; Tittle and Rowe, 1974), (6) one study based on consideration of the association between sanction probabilities at each stage of the criminal justice process and crime rates, by county, in the state of California (Kobrin *et al.*, 1972), (7) two experiments testing the effect of sanction threats on conformity (Sinha, 1967; Tittle and Rowe, 1973), (8) several investigations of the relationship between certainty of imprisonment and length of confinement and crime rates for states of the U.S. (Chiricos and Waldo, 1970; Gibbs, 1968; L. Phillips, 1973; Tittle, 1969; see also Bailey *et al.*, 1971a, 1971b; Ehrlich, 1972; Gray and Martin, 1969; Logan, 1971, 1972), and (9) a number of studies of indirect import (see Tittle and Logan, 1973).

Thus, a number of investigations varying widely in research design and methods used, in context, and in types of sanctions and behaviors considered almost all suggest that negative sanctions may have an important influence on the amount and kind of deviance that occurs by deterring some kinds of rule breaking under some circumstances, especially when the certainty of punishment is relatively high. It is, therefore, at least conceivable that labeling may have a considerable depressing effect on the amount of rule breaking in a social group even though it might, at the same time, produce deviant careers among those who are labeled. Clearly, labeling theory would be more complete if it could accommodate the empirical findings of control researchers.

Conversely, control theory needs the kind of insight that the labeling perspective provides. Control theory cannot specify the conditions under which sanctions will have a deterrent

effect on those sanctioned or on a population of potential rule breakers who might become aware of such sanctions. But it is clear that sanctions are sometimes followed by deviant careers, a process that has been at least partially specified in the labeling literature.

ISSUES TO BE RESOLVED

Even if labeling and control theory were joined in describing the varied potentialities of sanctions, it is obvious that we would still have only the most rudimentary knowledge of the effects of sanctions. Reasonable statements about the effect of sanctions or of labeling are contingent on answers to empirical and theoretical issues surrounding the question.

First, the influence of the type of norm on the possible effects of sanctions remains problematic. Surely sanctioning for violation of some norms is more likely to affect future opportunities and ultimately produce deviant careers than is labeling for violation of other norms. For example, convicting a woman of prostitution would seem to have greater likelihood of producing a deviant career than would conviction as a shoplifter. Once known as a prostitute, a woman will be presented with many opportunities to continue the practice, alternative types of relationships with men will be limited, and there is a supporting deviant subculture within which she can find ready acceptance and support. Conviction for shoplifting, on the other hand, is likely to limit opportunities for continuing the practice, alternative types of behavior will probably be encouraged, and there is no readily available subculture within which an amateur can be accepted.

Similarly, the intrinsic character of a norm may make deterrence more likely. The possibility of being punished for stealing pencils will no doubt have a different effect than the possibility of being punished for murder. Norms vary in generality, importance, legitimacy, and legal status. It is important to establish whether sanctions have a differential effect (1) when the violated rule is widely shared rather than being specific to a given situation, (2) when the rule is generally felt to be very important rather than of minor importance, (3) when the rule is considered "legitimate" as opposed to "arbitrary," (4) where the rules are codified rather than remaining informal, and (5) when the rules have a variable basis in the moral conscience of the population.

Second, whether sanctions deter or create further deviance may well depend on the characteristics of the offenders or potential offenders (DeLamater, 1968). It is easy to imagine that being punished will affect the futures of people with different social classes, ages, sexes, races, social visibilities, and power in different ways, just as anticipation of possible sanctions is likely to have differential impact on these categories of persons. Some people have more to lose through the sanctioning process than do others, and the way in which people respond to deviance is clearly contingent upon the offender's social status.

Third, characteristics of sanctions themselves may be an important determinant of whether deterrence or further rule breaking is produced. It seems obvious that the kind of sanction that is imposed will be a crucial variable. Things which are publicly degrading will no doubt produce results different from punishments which are private. In addition, the certainty of sanctions probably influences the likelihood of deterrence (Tittle and Logan, 1973) while severity of sanctions may be critical in the production of secondary deviance. But whether sanctions are imposed formally or informally (DeLamater, 1968), the celerity with which they are imposed, and the status of the sanctioner would seem to be of even more import. Thorsell and Klemke (1972) suggest that labeling will deter if the label is attached by an ingroup member or a significant other, but that it will produce secondary deviance if imposed by someone else.

Moreover, the interrelationship of these characteristics in their influence on outcomes must be clarified. Some sanction traits will probably have an effect only when certain levels of another trait are present. For instance, the effect of formal sanctions may depend on whether they are reinforced by informal sanctions. Where imprisonment is followed by widespread informal punishment or stigmatization, the probability of secondary deviance may be enhanced while general deterrence is strengthened. On the other hand, where imprisonment is followed by no informal punishment specific deterrence may be accomplished but at the expense of general deterrence.

Fourth. the kind of behavior involved would seem to be a basic factor in determining whether deterrence or secondary deviance is produced by sanctioning (Chambliss, 1967). Some behaviors are perceived as more rewarding than others and some behaviors are more subject to reasoned calculation than others. It is plausible to postulate that very pleasurable

activities that require interaction with others will be less deterrable initially and that labeling will actually increase the opportunities for future gratification and the likelihood of a deviant career. Furthermore, the effect of sanctions or of sanction threats may vary according to the motivations which typically lead to given acts of rule breaking. Rebellious behavior, rule breaking in pursuit of martyrdom or behavior undertaken to confirm social definitions of one's self would seem to be unlikely candidates for deterrence, although they suggest greater probability of secondary deviance, when punished, than do acts that have only private utility for the actor. Similarly, rule breaking that represents protest against perceived injustice may be more subject to labeling that produces subsequent deviant careers than is exploitative behavior, since punishment itself may reinforce the sense of injustice.

Fifth, the conditions under which sanctioning for a given type of deviant act spills over to other kinds of deviance must be specified. Characteristics of norms and of sanctions, and the kind of behavior involved are probably all relevant to this question. Labeling for some kinds of rule breaking may produce deviant careers involving violations of many kinds of norms while sanctioning for other kinds of rule breaking may produce secondary deviance of only one kind. For example, labeling someone as a traitor could result in general alienation and the emergence of a wide-ranging deviant career, while labeling as a gambler will probably only have an effect on future gambling. In like manner, some sanctions, such as public ridicule, may spill over while others, like fines, may have an effect only on the instant behavior. Finally, politically motivated behavior which results in sanction will probably spill over while punishment for impulsively motivated rule breaking will most likely remain relevant only for that behavior.

Sixth, the position of the act in a series of actual or potential deviant acts would seem to be a critical factor determining the effect of sanctioning. It is generally recognized that a first offense is different from other offenses. If one is caught and punished after the primary deviant act, the likelihood of deterrence may be greater than if labeling comes after repeated offenses (Thorsell and Klemke, 1972). If a sanction fails to deter once, its potency as deterrent for that person may be eroded generally, even for other types of rule breaking (cf. Sinha, 1967). Moreover, the point in the career at which sanctioning occurs could be fundamental. Being labeled as a deviant at the time when one has just begun an occupational career may be far more devastating to one's future as a conformist than would sanctioning at a later career point.

Seventh, the nature of the community in which a deviant act is committed or a sanction applied and the degree of an offender's integration into the community may affect the outcome. If a community is large and autonomous, the possibility of stigmatization is reduced but if it is small and tightly integrated there may be more willingness to reintegrate an errant member (Thorsell and Klemke, 1972). Not only are size and cohesion relevant, but such factors as economic security, general attitudes toward deviance, and religious influence may be important. There are obviously a great number of cultural patterns in different communities which could affect the impact of sanctions but which have not yet been spelled out theoretically or investigated empirically.

Eighth, the role of perceptions needs much elaboration. It is probably true that beliefs and assumptions about the characteristics of sanctions or about the reactions or possible reactions of others are more important than reality. It is possible that the major device in any society for maintaining conformity consists of shared misperceptions about what would happen if certain acts were committed. After all, the probability of sanction is really very slight (Logan, 1971) and the severity of punishment frequently turns out to be relatively light (*National Prisoner Statistics,* n.d.). Yet general anxiety stemming from uncertainty may influence the behavior of many. Consider, for example, two couples playing bridge. Each of the four people may actually be bored and actively contemplating the pleasure of a sexual orgy. But each is fearful of how the others would react if he were to suggest it. None of the four wants to risk jeopardizing future relationships or reputations. As a result, the two couples continue to play bridge, never realizing that, in fact, no negative response would have been forthcoming had any given one suggested the orgy. In this same way "pluralistic ignorance" may undergird much of the everyday conformity which supports orderly social existence. Furthermore, people who are actually sanctioned may misperceive their future opportunities or the reactions of others and slip into deviant careers despite actual conditions favorable toward a life of conformity. Clearly, a

variety of things, many of which are peculiar to the individual, can influence perceptions, and it may be that such intangibles are really the key determinants of the effect of sanctioning.

Finally, the interrelationship of the above variables in producing various effects must be clarified. Labeling proponents have emphasized the importance of sequences of events in the development of deviant careers, but theoretical and empirical specification of such processes has hardly begun. In addition, the different variables that have been mentioned must be considered as contingent conditions at each stage in sequential analysis. Logical possibilities in the various combinations of conditions and responses could easily be articulated into thousands of patterns, some leading in one direction and others leading in the opposite direction. Moreover, if an analyst tries to conceptualize these individual patterns in terms of aggregates in an effort to account for the effect of sanctions on the group level, the problem becomes even more formidable. Clearly, the question whether sanctions deter or lead to further deviance is an extremely complex one which has been treated too simply by those of the control persuasion as well as by labeling proponents.

CONCLUSIONS

Whether sanctions deter or create more deviance is a fundamental issue. It divides broad theoretical orientations, it is at the core of basic sociological concerns about the foundations of social order, and it is of vast practical importance since legal and social systems are built on assumptions about the efficacy of sanctions. But clearcut resolution of the issue is impossible. Even if the quality and quantity of data relevant to the question were adequate, theoretical contingencies would make a simple solution unrealistic. There is good reason to believe that sanctions may have both effects. Careful study will no doubt lead to the conclusion that sanctioning sometimes produces deterrence, sometimes leads to secondary deviance, sometimes does both, and sometimes does neither. The real task for sociologists is to integrate present theoretical ideas and expand them in order to build a theory which will specify the conditions under which one or the other of these outcomes will occur. Constructing such a theory will necessitate attention to the issues raised here, but more importantly, it will require substantial empirical work oriented around the variables that have been outlined. It is time this task be undertaken seriously.

REFERENCES

Alvarez, R. 1968. "Informal Reactions to Deviance in Simulated Work Organizations: A Laboratory Experiment." *American Sociological Review* 33(December):895–912.

Andenaes, J. 1952. "General Prevention—Illusion or Reality?" *Journal of Criminal Law, Criminology and Police Science* 43:176–98.

———. 1966. "The General Preventive Effects of Punishment." *University of Pennsylvania Law Review* 114:949–83.

Azrin, N. H., and W. C. Holz. 1966. "Punishment." In Werner K. Honig (ed.), *Operant Behavior: Areas of Research and Application.* New York: Appleton-Century-Crofts.

Bailey, W. C., L. C. Gray, and J. D. Martin. 1971a. "On Punishment and Crime (Chiricos and Waldo, 1970): Some Methodological Commentary." *Social Problems* 19(Fall):284–9.

Bailey, W. C., J. D. Martin, and L. N. Gray. 1971b. "Crime and Deterrence: A Correlation Analysis." Unpublished paper.

Bandura, Albert. 1969. *Principles of Behavior Modification.* New York: Holt, Rinehart & Winston.

Bandura, Albert, and Richard H. Walters. 1963. *Social Learning and Personality Development.* New York: Holt, Rinehart & Winston.

Becker, Howard S. 1963. *Outsiders.* New York: Free Press.

Bentham, Jeremy. 1948. *The Principles of Morals and Legislation.* New York: Hafner.

Blumberg, Abraham S. 1967. *Criminal Justice.* Chicago: Quadrangle Books.

Bowers, W. J., and R. G. Salem. 1972. "Severity of Formal Sanctions as a Repressive Response to Deviant Behavior." *Law and Society Review* 6(February):427–41.

Buckner, H. Taylor. 1971. *Deviance, Reality, and Change.* New York: Random House.

Cameron, Mary Owen. 1964. *The Booster and the Snitch.* Glencoe: Free Press.

Campbell, D. T., and H. L. Ross. 1968. "The Connecticut Crackdown on Speeding: Time Series Data in Quasi-Experimental Analysis." *Law and Society Review* 3:33–53.

Chambliss, W. J. 1966. "The Deterrent Influence of Punishment." *Crime and Delinquency* 12 (January):70–5.

———. 1967. "Types of Deviance and the Effectiveness of Legal Sanctions." *Wisconsin Law Review* (Summer):703–19.

Chiricos, T. G., and G. P. Waldo. 1970. "Punishment and Crime: An Examination of Some Empirical Evidence." *Social Problems* 18(Fall): 200–17.

Chiricos, Theodore G., Philip D. Jackson, and Gordon P. Waldo. 1972. "Inequality in the Imposition of a Criminal Label." *Social Problems* 19(Spring):553–71.

Clark, G. 1969. "Black Tuesday in Montreal: What Happens When the Police Strike." *New York Times Magazine* (November 16):45 ff.

Cohen, Albert K. 1966. *Deviance and Control.* Englewood Cliffs: Prentice-Hall.

Conklin, John E. 1972. *Robbery and the Criminal Justice System.* Philadelphia: Lippincott.

Connor, W. D. 1972. "The Manufacture of Deviance: The Case of the Soviet Purge, 1936-1938." *American Sociological Review* 37(August):403–13.

Cramton, R. C. 1969. "Driver Behavior and Legal Sanctions: A Study of Deterrence." *Michigan Law Review* 67:421–54.

DeLamater, J. 1968. "On the Nature of Deviance." *Social Forces* 46(June):445–55.

Dohrenwend, B. P., and E. Chin-Shong. 1967. "Social Status and Attitudes Toward Psychological Disorder: The Problem of Tolerance of Deviance." *American Sociological Review* 32(June): 417–33.

Ehrlich, I. 1972. "The Deterrent Effect of Criminal Law Enforcement." *Journal of Legal Studies* 1(June):259–76.

Erikson, Kai T. 1966. *Wayward Puritans.* New York: Wiley.

Fisher, S. 1972. "Stigma and Deviant Careers in School." *Social Problems* 20(Summer):78–83.

Foster, J. D., S. Dinitz, and W. C. Reckless. 1972. "Perceptions of Stigma Following Public Intervention for Delinquent Behavior." *Social Problems* 20(Fall):202–13.

Freedman, Jonathan L., and Anthony N. Doob. 1968. *Deviancy: The Psychology of Being Different.* New York: Academic Press.

Gibbs, J. P. 1966. "Conceptions of Deviant Behavior: The Old and the New." *Pacific Sociological Review* 9(Springs):9–14.

———. 1968. "Crime, Punishment and Deterrence." *Southwestern Social Science Quarterly* 48(March):515–30.

Glaser, Daniel. 1964. *The Effectiveness of a Prison and Parole System.* Indianapolis: Bobbs-Merrill.

Gold, Martin. 1970. *Delinquent Behavior in an American City.* Belmont, Calif.: Brooks/Cole.

Gove, W. 1970. "Societal Reactions as an Explanation of Mental Illness: An Evaluation." *American Sociological Review* 35(October): 873–84.

Gray, L. N., and J. D. Martin. 1969. "Punishment and Deterrence: Another Analysis of Gibbs' Data." *Social Science Quarterly* 50:385–95.

Greenwald, Harold. 1958. *The Call Girl.* New York: Ballantine Books.

Hagen, J. 1973. "Labeling and Deviance: A Case Study in the Sociology of the Interesting." *Social Problems* 20(Spring):447–58.

Hirschi, Travis. 1969. *Causes of Delinquency.* Berkeley and Los Angeles: University of California Press.

Homans, George C. 1961. *Social Behavior: Its Elementary Forms.* New York: Harcourt, Brace & World.

Jensen, G. F. 1969. " 'Crime Doesn't Pay': Correlates of a Shared Misunderstanding." *Social Problems* 17(Fall):189–201.

Johnson, J. M. 1972. "Punishment of Human Behavior." *American Psychologist* 27(November): 1033–54.

Kassebaum, Gene, David Ward, and Daniel Wilner. 1971. *Prison Treatment and Parole Survival: An Empirical Assessment.* New York: Wiley.

Kobrin, Solomon, Steven G. Lubeck, E. Wayne Hansen, and Robert L. Yeaman. 1972. *The Deterrent Effectiveness of Criminal Justice Sanction Strategies.* Los Angeles: Public Systems Research Institute, University of Southern California.

Lemert, E. M. 1967. "The Concept of Secondary Deviation." In Edwin M. Lemert (ed.), *Human Deviance, Social Problems, and Social Control.* Englewood Cliffs: Prentice-Hall.

Levin, M. A. 1971. "Policy Evaluation and Recidivism." *Law and Society Review* 6(August): 17–46.

Logan, C. H. 1971. "Legal Sanctions and Deterrence from Crime." Unpublished Ph.D. dissertation, Indiana University.

———. 1972. "General Deterrent Effects of Imprisonment." *Social Forces* 51(September):64–73.

Lovald, K., and H. R. Stub. 1968. "The Revolving Door: Reactions of Chronic Drunkenness Offenders to Court Sanction." *Journal of Criminal Law, Criminology and Police Science* 59(December):525–30.

Mankoff, M. 1971. "Societal Reactions and Career Deviance: A Critical Analysis." *Sociological Quarterly* 12(Spring):204–18.

Marshall, H., and R. Purdy. 1972. "Hidden Deviance and the Labelling Approach: The Case for Drinking and Driving." *Social Problems* 19 (Spring):541–53.

Merton, R. K. 1968. "Social Structure and Anomie." In Robert K. Merton (ed.), *Social Theory and Social Structure.* Glencoe: Free Press.

Miller, W. B. 1958. "Lower Class Culture as a Generating Milieu of Gang Delinquency." *Journal of Social Issues* 14:5–19.

National Prisoner Statistics. N. D. *Prisoners Released from State and Federal Institutions, 1960.* Washington: Bureau of Prisons, Justice Dept.

Newman, Donald J. 1966. *Conviction: The Determination of Guilt or Innocence Without Trial.* Boston: Little, Brown.

O'Connor, G. G. 1970. "The Impact of Initial Detention Upon Male Delinquents." *Social Problems* 18(Fall):194–9.

Parsons, Talcott. 1937. *The Structure of Social Action.* New York: McGraw-Hill.

———. 1951. The Social System. New York: Macmillan.

Payne, W. 1973. "Negative Labels: Passageways and Prisons." *Crime and Delinquency* 19(January):33–40.

Phillips, D. L. 1963. "Rejection: A Possible Consequence of Seeking Help for Mental Disorders." *American Sociological Review* 28(December):963–72.

Phillips, L. 1973. "Crime Control: The Case for Deterrence." In Simon Rottenberg (ed.), *The Economics of Crime and Punishment*. Washington: American Enterprise Institute.

Ross, H. L. 1973. "Law, Science and Accidents: The British Road Safety Act of 1967." *Journal of Legal Studies* 2(January):1–78.

Ross, H. L., D. T. Campbell, and G. V. Glass. 1970. "Determining the Social Effects of a Legal Reform: The British 'breathalyser' Crackdown of 1967." *American Behavioral Scientist* 13(March–April):493–509.

Rowe, A. R., and C. R. Tittle. 1973. "Arrest and Crime: More on the Deterrence Problem." Florida Atlantic University (mimeo).

Rushing, W. A. 1971. "Individual Resources, Societal Reaction, and Hospital Commitment." *American Journal of Sociology* 77(November): 511–26.

Salem, R. G., and W. J. Bowers. 1970. "Severity of Formal Sanctions as a Deterrent to Deviant Behavior." *Law and Society Review* 5(August): 21–40.

Schwartz, R. D., and J. H. Skolnick. 1962. "Two Studies of Legal Stigma." *Social Problems* 10 (Fall):133–42.

Schwartz, R. D., and S. Orleans. 1967. "On Legal Sanctions." *University of Chicago Law Review* 34(Winter):274–300.

Schur, Edwin. 1971. *Labeling Deviant Behavior: Its Sociological Implications*. New York: Harper & Row.

Scott, John Finley. 1971. *Internalization of Norms: A Sociological Theory of Moral Commitment*. Englewood Cliffs: Prentice-Hall.

Sellin, Thorsten. 1938. *Culture Conflict and Crime*. New York: Social Science Research Council.

Shover, N, W. B. Bankston, and J. W. Gurley. 1973. "Increasing Sanctions, Citizen Awareness, and Traffic Deaths: The Experience in One Jurisdiction." University of Tennessee (mimeo.).

Simmons, J. L. 1965. "Public Stereotypes of Deviants." *Social Problems* 13(Fall):223–32.

Sinha, J. B. P. 1967. "Ethical Risk and Censure-Avoiding Behavior." *Journal of Social Psychology* 71(April):267–75.

Skolnick, Jerome J. 1966. *Justice Without Trial: Law Enforcement in Democratic Society*. New York: Wiley.

Stephen, Leslie. 1900. *The English Utilitarians* 3 vols. New York: Putnam.

Sutherland, Edwin H., and Donald R. Cressey. 1966. *Principles of Criminology*. Philadelphia: Lippincott.

Thorsell, B. A., and L. W. Klemke. 1972. "The Labeling Process: Reinforcement and Deterrent?" *Law and Society Review* 6(February): 393–403.

Tittle, C. R. 1969. "Crime Rates and Legal Sanctions." *Social Problems* 16(Spring):409–23.

Tittle, C. R., and C. H. Logan. 1973. "Sanctions and Deviance: Evidence and Remaining Questions." *Law and Society Review* 7(Spring):372–92.

Tittle, C. R., and A. R. Rowe. 1973. "Moral Appeal, Sanction Threat, and Deviance: An Experimental Test." *Social Problems* 20(Spring): 488–98.

———. 1974. "Certainty of Arrest and Crime Rates: A Further test of the Deterrence Hypothesis." *Social Forces* 52(June):455–62.

Toby, J. 1964. "Is Punishment Necessary?" *Journal of Criminal Law, Criminology and Police Science* 55(September):332–7.

Trice, H. M., and P. M. Roman. 1970. "Delabeling, Relabeling, and Alcoholics Anonymous." *Social Problems* 17(Spring):538–46.

Turk, Austin T. 1969. *Criminality and Legal Order*. Chicago: Rand McNally.

Uniform Crime Reports. 1967. Washington: Government Printing Office.

———. 1968. Washington: Government Printing Office.

Waldo, G. P., and T. G. Chiricos. 1972. "Perceived Penal Sanction and Self-Reported Criminality: A Neglected Approach to Deterrence Research." *Social Problems* 19(Spring): 522–40.

Werthman, C. 1969. "Delinquency and Moral Character." In Donald R. Cressey and David A. Ward (eds.), *Delinquency, Crime, and Social Process*. New York: Harper & Row.

Zimring, Franklin E., and Gordon J. Hawkins. 1973. *Deterrence: The Legal Threat in Crime Control*. Chicago: University of Chicago Press.